

REMARKS

Claims 1-31 are pending in the subject application.

In the outstanding Office Action, claims 27-29 are rejected under 35 USC Section 112, second paragraph, as being indefinite because of the way “configured to” is used in the claims. Claims 15-21 also are rejected under 35 USC Section 112, second paragraph, as omitting an essential structural cooperative relationship between the mobile terminal and memory.

The foregoing rejections are respectfully disagreed with, and are traversed below.

Applicant has clarified claims 27-29 to improve upon the wording and grammar of the claims. Similarly, Applicant has amended independent claim 15 to recite that the memory is included in the mobile terminal, as described in paragraph 6 and paragraph 23 of the subject application. Accordingly, the rejections under 35 USC Section 112, second paragraph, should be reconsidered and withdrawn.

Regarding the rejections based upon art, claims 1-4, 7-9, 13-16, 18-21, 24, 27 and 29-30 are rejected under 35 USC Section 102(b) as being anticipated by Kleier (US Patent Publication 2002/0009990). Claims 10-12, 17, 22-23, 25-26 and 28 are rejected under 35 USC Section 103(a) as being unpatentable over Kleier in view of Wu (US Patent 6,275,575). Claims 5-6 and 23-24 are rejected under 35 USC Section 103(a) as being obvious over Kleier.

The foregoing rejections are respectfully disagreed with, and are traversed below.

Regarding the anticipation rejection of independent claims 1, 15, 27 and 30, it is respectfully asserted that there is a fundamental difference between the teachings of Kleier and the recited features of Applicant’s independent claims. For example, paragraph 32 of Kleier discloses that the connection set-up to the participants of the list, which is **initialed by the network**, is shown by way of example in Fig. 8. On the left in Fig. 8, the mobile terminal 1, which

requests the setting-up of the telephone conference is shown. For this purpose, it transmits, for example, a virtual telephone number (by mobile radio) to the mobile radio network 2. **The mobile radio network sends invitations** (according to Fig. 7, by mobile radio) to the participants 3, 4, 5, 6 of the group of mobile radio subscribers, which are stored in the list for which list participant 1 has requested a telephone conference. If subscribers of the list accept the invitation (or without invitation automatically), they are connected to the telephone conference circuit **by the mobile radio network**.

Thus, it is disclosed in Kleier that the connection set-up is initiated by the network, invitation is sent by the mobile radio network and the participants are connected to the telephone conference by the mobile radio network.

In contrast, in the claimed invention, a conference call is initiated in a different way. Independent claim 1 (emphasis added) is described below, as representative of this distinction.

Claim 1 (emphasis added):

A method comprising: arranging a conference call between three or more participants using a mobile terminal operating in a wireless network in which method a group of participants of the conference call is formed wherein **the mobile terminal** of the convener of the conference call **performs**

- **drawing up a summons** to a meeting in a standardized form,
- **sending the summons** to the meeting from the mobile terminal **to all members of the group** of participants, and
- receiving calls coming from the participants in the mobile terminal and **joining them to the conference call** automatically.

The Examiner appears to appreciate the argumentation presented in Applicant's previous Amendment dated September 23, 2008 by remarking in the outstanding Office Action at page 11 that the "Examiner fully agrees with the applicant in assessing Kleier's position. However, the Examiner repeats his opinion that the independent claims are anticipated by this

reference. Applicant respectfully requests the Examiner to reconsider this rejection as, for example, a conference call is initiated in a different way in the Kleier reference, as the Examiner appears to recognize.

Furthermore, the Examiner argues that the limitation of Applicant's independent claim 1 reciting "arranging a conference call between three or more participants using a mobile terminal operating in a wireless network" leaves room for interpretation that every action including drawing up and sending the summon requires the intervention of the network (see pages 11-12 of the outstanding Office Action).

Applicant respectfully disagrees with the Examiner's reasoning. In accordance with Applicant's independent claims summons are drawn up by the mobile terminal, the summons are sent by the mobile terminal and the participants are joined by the mobile terminal. In Kleier, all of these tasks are completed by the network.

Thus, it is respectfully asserted that independent claim 1, as well as independent claims 15, 27 and 30 are new and not obvious in view of Kleier.

Accordingly, remaining dependent claims 2-14, 16-26, 28-29 and 31 also are believed to be patentable at least in view of their dependency from an allowable independent claim. Moreover, regarding the rejection of dependent claims 1-14, Applicant also respectfully notes the following.

In the outstanding Office Action, the Examiner contends that the subject matter of claims 13 and 14 is disclosed in paragraph 30 of Kleier. Applicant respectfully disagrees. According to Applicant's claimed invention as set forth in claim 13, **the convener** of the conference call is **given a notification** by means of the mobile terminal **when a new participant has been joined** to the conference call. The notification comprises an acoustic signal or a recorded voice message (claim 14).

In paragraph 30 of Kleier, the **"other participants** (which can be taken from the list for this

group) in the telephone conference **receive** an e.g. acoustic and/or alphanumerical **invitation** to participate in a telephone conference, displayed in their mobile terminal.”

It is clear that an acoustic invitation to a participant to join a telephone conference and an acoustic notification to a convener, indicating that a new participant has been joined to a conference call, are completely different situations.

Additionally, for completion, it is respectfully asserted that the addition of secondary reference, Wu, which was cited by the Examiner in the rejection of dependent claims 10-12, 17, 22-23, 25-26 and 28 does not cure the shortcomings of Kleier and does not disclose or suggest Applicant’s claimed subject matter.

All issues having been addressed, the subject application is believed to be in condition for immediate allowance. No new issues requiring further search and/or consideration are raised by this Amendment. Accordingly, the Examiner is respectfully requested to enter and consider this Amendment, and withdraw the outstanding rejections. A Notice of Allowance is therefore earnestly solicited.

Should the Examiner have any questions, a call to the undersigned attorney would be appreciated.

Respectfully submitted:

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